

Records and Information Management

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Case Disposition Report Forms

Records and Information Management

8-01 INTRODUCTION

Every court should have a program for managing the creation, maintenance, and disposition of all court records. Any records management program instituted should consider the handling of a file from case initiation to destruction. Standards for managing trial court case files, which represent the majority of a court's records management needs, have been established through Michigan Supreme Court Administrative Order 99-17. See Michigan Trial Court Case File Management Standards for details.

Education and training in the area of records management is available through the Institute for Court Management. In addition, the National Center for State Courts has published A Guide to Court Records Management.

Any records management program should be considered in light of caseflow management practices as well. See Caseflow Management: A Practitioner's Guide for a better understanding of this relationship.

8-02 RECORDS KEPT BY COURT CLERKS

A. Records Kept by all Court Clerks

The clerk of the court shall comply with the records standards in MCR 8.119 and as otherwise prescribed by the Michigan Supreme Court. The clerk of the court of every trial court shall keep records in the form and style the court prescribes and in accordance with Michigan Supreme Court records standards and local court plans.

A court may adopt a computerized, microfilm, or word-processing system for maintaining records that substantially complies with MCR 8.119(D).

1. Filing of Papers

The clerk of the court shall endorse on every paper the date on which it is filed. Papers filed with the clerk of the court must comply with Michigan Court Rules and Michigan Supreme Court records standards. The clerk of the court may reject papers which do not conform to MCR 2.113(C)(1) and MCR 5.113(A)(1).

2. Case Files

The clerk of the court shall maintain a file folder for each action, bearing the case number assigned to it, in which the clerk shall keep all pleadings, process, written opinions and findings, orders, and judgments filed in the action. Additionally, the clerk shall keep in the file all other documents prescribed by court rule, statute, or as ordered by the court.

3. Types of Records

The clerk shall keep and maintain records of each case consisting of a numerical index, an alphabetical index, a register of actions, and a case file in such form and style as may be prescribed by the Supreme Court.

Each case shall be assigned a case number on receipt of a complaint, petition, or other initiating document. The case number shall comply with MCR 2.113(C)(1)(c) or MCR 5.113(A)(1)(b)(ii) as applicable. In addition to the case number, a separate petition number shall be assigned to each petition filed under the Juvenile Code as required under MCR 5.113(A)(1)(b)(ii). The case number (and petition number if applicable) shall be recorded on the register of actions, file folder, numerical index, and alphabetical index.

The records shall include the following characteristics:

a. Indexes

The clerk shall maintain a numerical index as a list of consecutive case numbers on which the date of filing and the names of the parties are recorded. The index may be maintained either as a central index for all cases filed in the court or as separate lists for particular types of cases or particular divisions of the court. The clerk shall maintain a central alphabetical index or separate alphabetical indexes for particular types of cases or particular divisions of the court on which the date of filing, names of all parties and the case number are recorded.

b. Register of Actions

The clerk shall keep a case history of each case, known as a register of actions. The register of actions shall contain both pre- and post-judgment information. When a case is commenced, a register of actions form shall be created. The case identification information in the alphabetical index shall be entered on the register of actions. In addition, the following shall be noted chronologically on the register of actions as it pertains to the case: the offense (if one), the judge assigned to the case, fees paid, date and title of each filed document, process issued and returned, date of service, date of each event and type and result of action, date of scheduled trials, hearings, and all other appearances or reviews, orders, judgments, verdicts, the judge at adjudication and disposition, date of adjudication and disposition, manner of adjudication and disposition. Each notation shall be brief, but shall show the nature of each paper filed, each order or judgment of the court, and the returns showing execution. Each notation shall be dated with not only the date of filing but with the date of entry and shall indicate the person recording the action.

c. Calendars

The clerk may maintain calendars of actions. A calendar is a schedule of cases ready for court action that identifies times and places of activity.

d. Journals

Except for recording marriages, journals shall not be maintained.

4. Other Records

The clerk shall keep in such form as may be prescribed by the court, other papers, documents, materials, and things filed with or handled by the court including but not limited to wills for safekeeping, exhibits and other discovery materials, requests for search warrants, marriage records, and administrative activities.

(see also Section 4-02, page 4-02-02 and Section 4-07, page 4-07-02)

B. Other Records Kept by the Register of Probate

Original orders and letters of authority, after being recorded, must be placed in the files of the probate court. For security purposes, testamentary documents of deceased persons, bonds, orders, and such other documents as the probate court directs must be copied by microfilming or other means promptly after filing or issuance and preserved in the records of the probate court separately from the files. [MCL 600.832, MCR 8.302]

C. Court Reporter/Recorder Records

1. Records Kept by Court Reporter/Recorder

The court reporter/recorder who takes the testimony on the trial or the hearing of any case shall prefix the record of the testimony of each witness with the full name of the witness and the date and time the testimony was taken. At the conclusion of the trial of the case the reporter/recorder shall secure all of the records and properly entitle them on the outside, and shall safely keep them in his/her office. (see also Section 4-24, pages 4-24-01 through 4-24-05)

2. Transfer of Records to Clerk of Court

If the court reporter/recorder dies, resigns, is removed from office, or leaves the state, his/her records in each case must be transferred to the clerk of the court in which the case was tried. The clerk shall safely keep the records subject to the direction of the court. The records are a part of the record of each case and are subject to inspection in the same manner as other records. On order of the court, a transcript may be made from the records and filed as a part of the record in the case. (see also Section 4-02, pages 4-02-02, Section 4-07, page 4-07-02, Section 4-11, page 4-11-02, and Section 4-14, page 4-14-01)

3. Court to Retain Records of Freelance Reporters/Recorders

Although not addressed by rule, it is a good management practice for a court to retain the records of court reporters/recorders who are not employed by the court.

8-03 PUBLIC ACCESS TO COURT CASE RECORDS

The clerk may not permit any record or paper on file in the clerk's office to be taken from it without the order of the court.

A. Right of Public Inspection

Generally, unless access to a file is restricted by statute, court rule, or an order according to MCR 8.119(F), any person may inspect pleadings and other papers in a court clerk's office and may obtain copies as provided by MCR 8.119(E)(2) and (3). A court, by administrative order, may make reasonable regulations necessary to protect its public records and prevent excessive and unreasonable interference with the discharge of its functions. (see also Section 12-03, page 12-03-05 and Section 12-04, page 12-04-02) (See the State Court Administrative Office website at: <http://courts.michigan.gov/scao/resources/other/lao.htm> for the Model Order for Access to Court Records) [MCR 8.105(C)]

Access to Friend of the Court records is regulated by MCR 3.218. (See the State Court Administrative Office website at: <http://courts.michigan.gov/scao/resources/other/lao.htm> for the Model Order for Access to Friend of the Court records and request form)

1. Providing Copies

If a person wishes to obtain copies of papers in a file, the clerk shall provide copies upon receipt of the reasonable cost of reproduction. If the clerk prefers, he or she may permit the requesting person to make copies at his or her own expense under the direct supervision of the clerk.

2. Creating New Records

A court is not required to create a new record, except to the extent required by furnishing copies of a file, paper, or record. A court may create a new record or compilation of records pertaining to case files or case related information on request, provided that the record created or compiled does not disclose information that would otherwise be confidential or restricted by statute, court rule, or an order entered pursuant to MCR 8.119 (F).

3. Copy Fee

Except for copies of transcripts and as otherwise directed by statute or court rule, a standard fee may be established for providing copies of papers in a file.

4. Local Administrative Order Regulating Access

Every court, shall adopt an administrative order pursuant to MCR 8.112(B) to:

- a. make reasonable regulations necessary to protect its public records and prevent excessive and unreasonable interference with the discharge of its functions;
- b. specify the reasonable cost of reproduction of records provided under MCR 8.119(E)(2); and
- c. specify the process for determining costs under MCR 8.119(E)(3).

[MCR 8.119(E)]

B. Handling Inquiries Regarding Nonpublic Records

The court's response to inquiries regarding nonpublic records is outlined in the Michigan Trial Court Case File Management Standards, Component 19.

C. Authority for Restricting Access

Some of the more common statutes, courts rules, and case law which restrict public access to court case records or portions of records are listed in the Michigan Trial Court Case File Management Standards, Component 19/ (See Model LAO 8 for Public Access to Court Records at <http://courts.michigan.gov/scao/resources/other/lao.htm>)

D. Freedom of Information Act

Oftentimes, court records are requested by a person citing the Freedom of Information Act. [MCL 15.231 et seq.] Although the judiciary is specifically excluded from the definition of public bodies subject to the Act, several Michigan Court Rules cover public access to court files and records. Specifically, MCR 8.119(E) permits any person to inspect pleadings and other papers in the clerk's office and to obtain copies.

E. Providing Indigent Defendants with Case Records (applies to circuit courts and Recorder's Court only) [MCR 6.433]

1. Appeals of Right.

An indigent defendant may file a written request with the sentencing court for specified court documents or transcripts, indicating that they are required to pursue an appeal of right. The court must order the clerk to provide the defendant with copies of documents without cost to the defendant, and, unless the transcript has already been ordered as provided in MCR 6.425(F)(2), must order the preparation of the transcript.

- 2. Appeals by Leave.** An indigent defendant who may file an application for leave to appeal may obtain copies of transcripts and other documents as provided in this subrule.
 - a. The defendant must make a written request to the sentencing court for specified documents or transcripts indicating that they are required to prepare an application for leave to appeal.
 - b. If the requested materials have been filed with the court and not provided previously to the defendant, the court clerk must provide a copy to the defendant. If the requested materials have been provided previously to the defendant, on defendant's showing of good cause to the court, the clerk must provide the defendant with another copy.
 - c. If the request includes the transcript of a proceeding that has not been transcribed, the court must order the materials transcribed and filed with the court. After the transcript has been prepared, court clerk must provide a copy to the defendant.
- 3. Other Postconviction Proceedings.** An indigent defendant who is not eligible to file an appeal of right or an application for leave to appeal may obtain records and documents as provided in this subrule.
 - a. The defendant must make a written request to the sentencing court for specific court documents or transcripts indicating that the materials are required to pursue postconviction remedies in a state or federal court and are not otherwise available to the defendant.
 - b. If the documents or transcripts have been filed with the court, the clerk must provide the defendant with copies of such materials without cost to the defendant.
 - c. The court may order the transcription of additional proceedings if it finds that there is good cause for doing so. After such a transcript has been prepared, the clerk must provide a copy to the defendant.
 - d. Nothing in this rule precludes the court from ordering materials to be supplied to the defendant in a proceedings under subchapter 6.500.

F. Sealed Records

Except as otherwise provided by statute or court rule, a court may not enter an order that seals court records, in whole or in part, in any action or proceeding unless certain factors exist. These factors and the sealing of court records is governed by MCR 8.119(F).

A court may not seal a court order or opinion, including an order or opinion that disposes of a motion to seal the record. Whenever a court grants a motion to seal a court record, in whole or in part, the court must forward a copy of the order to the Clerk of the Supreme Court and the State Court Administrative Office pursuant to MCR 8.119(F)(7).

G. Juvenile Case Records

Access to juvenile case records of the family division of circuit court is more specifically defined by MCR 5.903(A)(9) and (18), MCR 5.925(D), and MCR 5.783.

8-04 RECORD RETENTION AND DISPOSAL

A. Authority

Records may not be disposed of, mutilated, or destroyed except as allowed by statute or court rule. Minimum record retention schedules for use by the trial courts have been approved by the State Administrative Board. [MCL 399.5, MCL 600.2137, MCL 691.1101, MCL 600.8344, MCL 720.551, MCR 5.925]

B. Record Retention and Disposal Schedules

The following court related schedules have been compiled and have been approved by the State Administrative Board:

1. General Schedule No. 1 - Definition of Non-Record Material (revised and approved July 7, 1964) - available at the Department of Management and Budget website at: http://www.michigan.gov/documents/gsl_20727_7.pdf.
2. General Schedule No. 16 - Records Retention and Disposal Schedule for Michigan Trial Courts (August 7, 2001) - available at the State Court Administrative Office website at: http://courts.michigan.gov/scao/resources/standards/cf_schd.pdf.

C. Microfilming

1. Michigan Standards

The Department of Management and Budget, Office Services Division has filed microfilm standards with the Secretary of State on April 6, 1966 by the authority conferred on the department of administration by section 1 of Act No. 105 of the Public Acts of 1964 and section 102 of Act No. 380 of the Public Acts of 1965, being sections 691.1101 and 16.202 of the Compiled Laws of 1948. The standards can be found in the State of Michigan Supplement to 1954 Michigan Administrative Code, Supplement No. 47, Rules 18.101 through 18.113. Another resource is the Microfilm Handbook: Michigan Local Government, available from the State Archives of Michigan, Department of History, Arts, and Libraries. State Archives is in the process of revising these rules. For further information or questions concerning microfilming contact the State Archives of Michigan, Department of State, 717 West Allegan, Lansing, MI 48918, (517) 373-1401. See http://www.michigan.gov/dmb/0,1607,7-150-9141_13131-31497--,00.html.

2. Microfilm Resources

a. Standards

- U.S. and international standards

American National Standards Institute (ANSI)
1430 Broadway
New York, NY 10018

Association for Information and Image Management
1100 Wayne Avenue
Suite 1101
Silver Spring, MD 20910

- Industry standards, some ANSI standards, and compilations of federal government standards

National Micrographics Association (NMA)
Suite 1101
8728 Colesville Road
Silver Spring, MD 20910

b. Education and Training

- Seminars and publications

Xidex Institute of Film Technology
305 Soquel Way
Sunnyvale, CA 94086

National Micrographics Association (NMA)
Suite 1101
8728 Colesville Road
Silver Spring, MD 20910

- Publications

Association for Information and Image Management
1100 Wayne Avenue
Suite 1101
Silver Spring, MD 20910

Eastman Kodak Company
Rochester, NY 14650

c. Periodicals and Other Publications

Association for Image and Information Management. Practice for Operational Procedures/Inspection and Quality Control of First Generation, Silver-Gelatin Microfilm of Documents. Silver Spring, MD: Association for Image and Information Management, 1983.

Gwinn, Nancy E., editor. Preservation Microfilming: A Guide for Librarians and Archivists. Chicago, IL: American Library Association, 1987.

Microfilm Techniques Inc. Microfilm Techniques. New York: Microfilm Techniques Incorporated. (this publication is free - 250 Fulton Avenue, Hemstead, NY 11550)

National Micrographics Association. Glossary of Micrographics. Silver Spring, MD: Association for Image and Information Management, 1980.

National Micrographics Association. Journal of Micrographics. Silver Spring, MD: National Micrographics Association.

National Micrographics Association. Micrographic Film Technology. Silver Spring, MD: Association for Image and Information Management, 1983.

d. Microfilm Services

Graphic Sciences, Royal Oak: (800) 397-6620

Imax, Southfield

Lason, Lansing: (517) 323-3231

Vucom, Lansing: (517) 882-2244

D. Record Storage

When a file becomes inactive, the court may want to consider off-site storage for file maintenance if there is not adequate storage in the court facility. The following companies provide management and storage of records.

1. Commercial Equipment Company (document imaging), Lansing: (800) 694-5544
2. Data Pro-Tech, Lansing: (517) 482-0022
3. Diversiteck, New Hudson: (810) 486-2011
4. Document Services, Inc., Livonia: (800) 229-0180

5. Graphic Sciences (digital imaging), Royal Oak: (810) 549-6600 or (800) 397-6620
6. Kent Records Management, Grand Rapids: (616) 459-6681
7. Leonard Archives, Inc., Detroit: (313) 872-8300
8. Records Retention Center, Kalamazoo: (616) 382-1555
9. Safe Records Center, Inc., Lansing: (517) 394-0832
10. Underground Security, Grand Rapids: (616) 245-5675

For restoration of water damaged records, contact Munters Incentive Group at:

Munters Corporation
Moisture Control Services
39293 Plymouth Road
Suite 117
Livonia, Michigan 48150
(313) 432-0050
FAX (313) 432-0051

E. Notification Prior to Destruction

Before records may be destroyed, the Michigan Department of History, Arts, and Libraries - State Archives must be notified. If an audit has not been performed during the period of retention the State Department of Treasury must also be notified before destruction of records. Even when microfilmed, the original case record must be retained for the minimum period. Form MH-38 (rev. 3/87), Certificate of Records Disposal must be completed and submitted to the Michigan Department of History, Arts, and Libraries - State Archives, Lansing, MI 48918. See the form at: http://www.michigan.gov/hal/0,1607-17451_18673_19386-56141--,00.html.

In addition to regularly scheduled destruction of records, State Archives should be notified on the Certificate of Records Disposal when any records are expunged pursuant to MCR 5.925. The State is not interested in obtaining the files for placement in the archives because it would be in conflict with court rule. However, the practice of notifying the State will provide the courts with proof that expunged records were properly disposed of. **Note:** The definition of expungement is undergoing possible revision as the result of a recent Michigan Supreme Court ruling, People v Smith, 437 Mich 293 (1991).

F. Disposal

1. Methods of Disposal

Accepted disposal methods of records are transfer to State Archives (at their discretion), shredding, burning, and pulverization. Companies that provide shredding services include:

- a. Confidential Records Destruction/Paper Recycling, Michigan Department of Management and Budget, Lansing: (517) 322-1899
- b. Data Destruction of Jackson, Jackson: (517) 750-3028
- c. Safe Records Center, Inc., 4940 Center Drive, Lansing, MI: (517) 394-0832

Companies that provide pulverization services include:

Document Services, Inc., Livonia: (800) 229-0180

2. Scrap Paper

The following companies are willing to purchase scrap paper (e.g. disposed court records); contact the State Archives for verification:

- a. Jackson Fibres Company, Jackson: (517) 784-9191
- b. Simplex, Constantine: (616) 435-2425
- c. General Mill Supply Company, Detroit: (313) 554-1000

8-05 CASE DISPOSITION REPORTS TO STATE AGENCIES

In addition to the caseload and case monitoring reports submitted to the State Court Administrator (see Sections 3-04 and Section 7-04), court personnel are required to submit a number of case disposition reports to state agencies. [See MCR 8.119(G)]

<u>Report Name</u>	<u>Submitted By</u>	<u>State Agency</u>	<u>Authority</u>
Abstract Certification Form BDVR 103	Court Clerk	Michigan Department of State Abstract Processing Unit 7064 Crowner Drive Lansing, MI 48918 (517) 322-1596	MCL 257.732
Adoption Records Form DCH 0854 (9/00) (was B-83a)	Court Clerk	Dept. of Community Health Changes Unit 3423 North MLK Jr Blvd Lansing, MI 48909 (517) 335-8684	MCL 333.2829
Complaints, Judgments, Decrees, Orders filed, Consumer Protection Act	Court Clerk	Michigan Attorney General Consumer Protection Division PO Box 30213 Lansing, MI 48909 (517) 335-0855	MCL 445.912
Criminal and Juvenile Offense Dispositions	Court Clerk	Michigan State Police Central Records Division 7150 Harris Drive Lansing, MI 48913 (517) 373-0382	MCL 769.16a, MCL 712A.18(16) MCL 712A.18(16)
Divorce Records Forms DCH-0838 (11/99) (was B-42) and B-84 (8/93)	Court Clerk	Dept. of Community Health Registration Unit 3423 North MLK Jr Blvd Lansing, MI 48909 (517) 335-9826	MCL 333.2864
LEIN Reporting SCAO Forms PCM 214, PC 631, and MC 207	Court Clerk	Michigan State Police (recipient is generally a local Michigan State Police contact)	MCL 330.1464a, MCL 700.5107, MCL 769.16b

<u>Report Name</u>	<u>Submitted By</u>	<u>State Agency</u>	<u>Authority</u>
Medical Malpractice Judgments Form LHI-700 (8/86)	Court Clerk	Department of Licensing and Regulation Bureau of Health Services PO Box 30018 Lansing, MI 48909 (517) 373-1530	MCL 333.16243(2)
Name Change Orders SCAO Form PC 52	Court Clerk	Michigan State Police	MCL 711.1(3)
Order Granting Custody to Putative Father Form B-71 (1/97)	Court Clerk	Dept. of Community Health Registration Unit 3423 North MLK Jr Blvd Lansing, MI 48909 (517) 335-9826	MCL 710.39
Paternity Orders Forms B-71 (1/97) and B-72 (11/85) (now DCH-0740)	Court Clerk	Dept. of Community Health Registration Unit 3423 North MLK Jr Blvd Lansing, MI 48909 (517) 335-9826	MCL 722.717
Sex Offender Registration Forms DD-4	Probation Clerk or Court Clerk	Local arresting agency or Michigan State Police local post	MCL 28.724
Traffic Offense Abstract Form DSI-22A (4/99) (may submit film or tape in lieu of form)	Court Clerk	Michigan Department of State Abstract Processing Unit 7064 Crowner Drive Lansing, MI 48918 (517) 322-1596	MCL 257.321a, MCL 257.732

8-06 STATE COURT ADMINISTRATIVE OFFICE FORMS

A. Authority

1. State Court Administrative Office

- a. The State Court Administrator under the Supreme Court's supervision and direction, shall approve and publish forms as required by the Michigan Court Rules and such other recommended forms as the administrator deems advisable. [MCR 8.103(9)]
- b. For the purpose of achieving uniformity of forms throughout this state in the probate court, effective July 1, 1979, only forms approved by the Supreme Court or the State Court Administrator shall be used. [MCL 600.855]
- c. The Department of Mental Health shall prescribe the forms to be used under the Mental Health Code, and all hospitals shall use department forms. Forms that may be used in court proceedings under the Mental Health Code shall be subject to the approval of the Supreme Court. [MCL 330.1404]

2. Chief Judge

The chief judge may, by administrative order, direct the clerk of the court to provide litigants and attorneys with copies of forms approved by the State Court Administrator. The administrative order may allow the clerk to provide the forms at a cost of reproduction to the clerk. [MCR 8.110(C)(7)]

While certain statutes and court rules require the State Court Administrator to approve forms for use in specific proceedings, the use of SCAO Approved forms, when they exist, is not mandatory except in probate court.

B. State Court Administrative Office Forms Development and Revision Process

The current process for the development, revision, and final approval of court forms involves from three to six steps; 1) formal request for form development or revision 2) primary analysis by forms analyst, 3) documentation and followup, 4) secondary analysis through assistance of other SCAO staff, 5) consultation with court personnel and other professionals, and 6) formal advisory committee meetings. These steps are also followed when forms development or revisions are initiated by the forms analyst as a result of legislative and court rule tracking and analysis.

1. Formal Request

Forms revisions and development may be initiated by State Court Administrative Office (SCAO) staff, court personnel, forms committee members, or other interested persons. All requests are directed to the forms analyst for processing. The function and responsibilities of the SCAO are defined as follows:

"SCAO is responsible for the management of the forms project. The principal responsibility for development, revision, approval, and distribution of court forms rests with SCAO. An advisory committee may be used in developing and revising forms and SCAO will generally make modifications consistent with SCAO form standards and statutory or court rules changes based on internal analysis and informal consultation with various court and other professional personnel as needed."

Initial contact regarding forms is made to the forms analyst and may include:

- a. requests for forms revisions or development of new forms.
- b. questions about use of forms.
- c. requests for camera ready copies of forms, forms handbooks, and other materials.
- d. inquiries into background or history of forms.
- e. other concerns regarding forms.

2. Primary and Secondary Analysis

All contacts are screened and analyzed, communicated to any other individuals as appropriate, and responded to by the forms analyst. Final response may be the result of research by the forms analyst, consultation with other SCAO personnel or the consultants, or review by the Michigan Court Forms Committee if recommended to the committee for resolution.

3. Documentation and Followup

The forms analyst will respond to all inquiries with the results of internal analysis. If further action will be taken, the individual who raised the issue will be advised of this and will be kept informed of the status of their inquiry until resolved. All internal analysis, communication with consultants, and formal meetings will be documented. Minutes of Michigan Court Forms Advisory Committee meetings will be distributed to members and, upon request, to any other interested persons. All other documentation is subject to inspection.

4. Consultation

When the SCAO is unable to conclude a forms issue internally, court personnel and other legal professionals who have offered their services as consultants will be contacted for input. While the majority of forms issues will be handled by mail or telephone calls, informal meetings may be held with SCAO staff and selected individuals to discuss more complicated issues. As an option, consultants may ask that an issue be referred to the Michigan Court Forms Committee for formal review.

a. Responsibilities of Consultants

Consultants assist SCAO staff in analyzing legislation, court rules, and procedural guidelines; developing and revising forms; and drafting instructions for proper use of forms on an informal basis. Their primary function will be to provide an ongoing, informal network between the courts and the SCAO.

b. How to Become a Consultant

Any individual in the court or legal profession interested in serving as a consultant who has some contact with forms throughout their daily work may contact the State Court Administrative Office Forms Analyst.

5. Formal Meeting

The Michigan Court Forms Advisory Committee consists of individuals from various components of the judiciary and legal profession. The Committee will meet to discuss any forms issues referred to them by either SCAO staff or consultants. The primary focus of the committee is substantive and procedural content analysis of prescribed statutes and court rules, however, SCAO may ask for input in design as it relates to effective use of forms.

a. Responsibilities

The primary function of the Committee is to discuss pending legislation and court rules which may impact forms, to provide input on the most effective means for handling potential revision and development of forms, and to advise on effective implementation for the court which may include suggestions in developing procedural guidelines, forms instructions, or content of forms.

The Committee is prescheduled to meet at certain times throughout year. Forms relevant to circuit and district courts are discussed in March. Forms relevant to the friend of the court are discussed in January, April, July, and October. Forms relevant to probate court and family division of circuit court are discussed in September. In emergency situations, additional meetings may be scheduled. Members should inform their respective associations of meetings dates and are encouraged to provide their colleagues an opportunity to review agenda items and to solicit suggestions and comments on the material.

b. Appointment to the Committee

Members are appointed by the State Court Administrator and serve staggered terms of three years. As positions become vacant, court related organizations are asked to suggest three persons for appointment to that position. The State Court Administrator will select a member based on that input.

C. Approval and Distribution**1. Approval by State Court Administrator**

All forms development and revisions accepted and approved through the appropriate steps of the forms development and revision process are typeset for final approval by the State Court Administrator.

2. Distribution of SCAO Approved Forms, Instructions, and Other Information

SCAO approved forms are printed and distributed to the trial courts; legal printers, publishers, and software companies; and relevant state government departments. Notice of forms revisions and new developments are communicated to the the Michigan State Bar for publication in their Bar Journal. Forms contact persons within the courts will receive a mailing in June and December of each year which includes:

- 1) camera ready copies of revised or new forms,
- 2) revised numerical and alphabetical indexes of the forms.
- 3) an explanation of changes to the forms,
- 4) instructions on the use of the forms if necessary.

In emergency situations, revised or new forms may be distributed at other times of the year. Directions or clarification regarding use of forms which arise out of inquiries or conflicts will be communicated when the forms are distributed.

SCAO Approved forms are also available on the Michigan Supreme Court website (www.supremecourt.state.mi.us) in portable document format (PDF). The forms can be accessed and printed from the website by anyone who has Adobe's Acrobat Reader which is a free plug-in available from Adobe.

3. Forms Contact Person

Each court has one or more designated forms contact persons who will be the primary contact for the SCAO Forms Analyst. The purpose of the forms contact person is to:

- a. be the telephone contact person to coordinate forms requests, questions, and other forms related issues between our office and the court (this does not preclude anyone else from contacting the SCAO directly if they wish to); and

- b. receive from the SCAO the original camera ready copies of SCAO approved forms, forms indexes, update to handbooks (circuit and district courts only), and other correspondence regarding forms.

D. Modifying SCAO Approved Forms

Those courts desiring to modify SCAO approved forms to accommodate local practice must obtain approval from the State Court Administrative Office, except for the following:

1. Print names, titles, addresses, telephone numbers, or other court specific information in blank space on the form.
2. Print special instructions in unused space on the form.
3. Add or delete plys or multi-part forms as needed for minimum distribution listed on the form.
4. Have forms padded, use carbonless paper, or use carbon interleaves as applicable to procedures in individual courts.
5. Print in continuous feed for use with word processors or computer printers.

Whenever forms are modified other than as described above, the approval of the State Court Administrative Office (SCAO) must be obtained or the SCAO approval and form number must be removed from the modified form before it is printed or used.

(See also the Circuit and District Court Forms Handbook)

E. Standard Specifications and Design Criteria

In 1984, the Circuit, District, Juvenile, and Probate Court Forms Committees adopted the SCAO standard specifications and design criteria. Minor revisions were made in 1990. These specifications may be helpful in developing internal court forms or for designing forms which are electronically published. The specifications are as follows:

1. Standard Specifications for Printing of Forms

- a. Five-eighths inch allowance at top for binding and minimum of one-eighth inch allowance on each side.
- b. Approval of State Court Administrator, at top left within one-half inch allowance "Approved SCAO".
- c. Standard header across top of form will include:

- 1) "State of Michigan" and court identification in two and one-quarter inch box at top left.
 - 2) Form title in three inch box at top center.
 - 3) Case number in two and one-quarter inch box at top right.
- d. Form number, revision date, and title respectively commencing at bottom left.
 - e. Applicable court rules or statutes at bottom, directly following the title.
 - f. Distribution printed at top right. In addition, commercial publishing houses should print copy designation on each form at bottom center as applicable. Distribution is not applicable for most probate court forms.
 - g. OSM Code printed at top right on all probate court forms, including those used in the juvenile division.
 - h. Tumble printing for reverse side of forms.
 - i. Color-coding to be determined by type of case (noted on printing specifications in forms handbook).
 - j. Recommended print size of 8 point for caption, 11 point for narrative, and 11 point bold for titles.
 - k. Spacing for typewriter entry of data.
 - l. Fold marks printed on specific forms designed for use in standard window envelopes so appropriate address appears in window (optional).

2. Technical Design Criteria

- a. Use of paper no larger than eight and one-half inches by eleven inches as required under MCR 1.109.
- b. Double typewriter spacing for all handwritten entries.
- c. Number style for date.
- d. Suggested maximum of five tab stops for typed entries to be designated across top (optional).
- e. Standard information after header placed in same location wherever possible.
- f. Number of each item as applicable.

- g. One and one-quarter to two inch space at bottom of probate court forms for endorsement with date filed, title of form, and signature line for deputy probate register.
- h. Minimum use of capital letters, underlining, and italics.

3. Substantive Design Criteria

- a. Use of non-technical English language wherever possible.
- b. Forms designed to be self-explanatory where possible. When extra instructions are necessary, the reverse side or a separate cover sheet will be included (minimal instructions also provided in the forms handbook).
- c. Use of a declaration when a jurat is not specifically required by statute or court rule. The following language may be used by the circuit and district courts: "I declare that the statements above are true to the best of my information, knowledge, and belief." [MCR 2.114] The following language may be used by the probate court (probate and juvenile divisions): "I declare that this _____ has been examined by me and that its contents are true to the best of my information, knowledge, and belief." [MCR 5.114]
- d. Compliance with statutes and court rules.
- e. Design to achieve maximum efficiency and clarity in processing.
- f. Conformance with the approved printing and design criteria.

F. Managing Forms

The following suggestions may be of benefit to courts in managing forms if a "forms division" is not in operation.

- a. Maintain updated files on the forms including indexing and inventory records.
- b. Establish procedures for ordering, stocking, and maintaining inventory of forms.
- c. Establish procedures for distributing forms and related correspondence to proper individuals/divisions within the court.
- d. Establish other policies and procedures which aid the court in managing both SCAO approved forms and internally developed forms.

Those courts with larger volumes of paper work will benefit more by managing forms than those with smaller volumes. However, all courts will benefit from procedures that ensure that the proper individuals or divisions are kept up-to-date on information relating to forms which is pertinent to their daily tasks.

SECTION 8

APPENDIX

Case Disposition Report Forms

MICHIGAN ABSTRACT OF CONVICTION

Michigan Department of State
Abstract Processing
LANSING MI 48918-1540
Authority granted under Public Act 300 of 1949 as amended

LICENSE NUMBER 1				STATE 2	SOS USE 3	DRIVER NAME (FIRST, MIDDLE, LAST) 4				BIRTH DATE 5			
COURT CODE 6		VIOL DATE 7		ADJUDICATED 8		OFFENSE CD 9		SPEED 10		NATURE OF OFFENSE 11			
VEHICLE 12	SIRBF 13	REV 14	SUSP 15	RESTRICT 16	ORIG CHGT 17	TRIAL 18	JUDGE # P 19	COURT FINDING 20			CASE/TICKET NUMBER 21		
ENTER Y IF ORDERED 22	DLX DRNG 23	INTX LOCK 24	DRIVING ALLOWED TO/FROM 25	PROB 26	CON SER 27	ALL PAS 28	MED TMT 29	SCH 30	PLATES 31	VEH YEAR 32	VEH MAKE 33	VIN 34	
CODE 34 FIRST WORK NAME AND LOCATION 35									WORK HOURS 36		WORK DAYS ALLOWED 37		
CODE 38 SECOND WORK NAME AND LOCATION 39									WORK HOURS 40		WORK DAYS ALLOWED 41		
DRIVER ADDRESS 42						CITY		STATE		ZIP			
COURT NAME 43				ADDRESS				CITY		STATE		ZIP	
I certify this is a true abstract of the Court Record and Order.								COMMENTS 45					
NAME 44								DATE					

DS1-22A (4/99)

Judge	Circuit no.	County no.
Offender name	Case no./Docket no.	

The following aspects of this case led me to impose a sentence outside the recommended range:

Date _____

APPLICATION TO ESTABLISH NEW MICHIGAN BIRTH RECORD FOLLOWING AN ADOPTION

PLEASE READ AND FOLLOW INSTRUCTIONS

For additional information:

Vital Records Changes

(517) 335-8660 Mon-Fri 8:00 am - 5:00 pm ET

MAIL APPLICATION AND PROPER FEE TO:

Vital Records Changes

P.O. Box 30721

Lansing MI 48909

PARENT(S) INFORMATION		PLEASE PRINT CLEARLY AND LEGIBLY									
Parent(s) name and complete mailing address are needed to mail the new record. Please provide a phone number to contact you if there are questions regarding this request.											
Name(s):											
Mailing Address:											
City/State/Zip:											
Daytime phone to contact you:	Area Code & Number										

INFORMATION REQUIRED TO CREATE THE ADOPTIVE BIRTH RECORD						
Child's Name	First	Middle	Last			
PARENT(S) INFORMATION	MOTHER		FATHER			
Present Full Name	First	Middle	Last	First	Middle	Last
Surname Before First Married	Last					
Date of Birth	Month	Day	Year	Month	Day	Year
State of Birth (or country, if not USA)						
Social Security Number *						
Has it been requested that a new certificate NOT be created? <input type="checkbox"/> Yes <input type="checkbox"/> No						

* Social Security number is needed to prepare the new birth record but will not appear on a certified copy.

SIGNATURE(S)	
<p>Personal data of adoptive parents and child's name after adoption should be reviewed and signed before the section for "Information Needed to Identify Original Birth Record" is completed. The form should be signed by the adoptive parents with their current names. The adoptive parents should verify information listed for the adoptee.</p>	
<div style="border-top: 1px solid black; margin-top: 20px;"></div> <p> Signature of Person Adopting</p>	<div style="border-top: 1px solid black; margin-top: 20px;"></div> <p> Signature of Husband or Wife (if married)</p>

INFORMATION NEEDED TO IDENTIFY ORIGINAL BIRTH RECORD

Child's Name at Birth	First	Middle	Last
Child's Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female		
Child's Date of Birth	Month	Day	Year
Child's Place of Birth	City	County	
Name of Birthing Hospital			
Maiden Name of Biological Mother	First	Middle	Last

COURT CERTIFICATION

The Family Division of Circuit Court of _____ County, Michigan

I hereby certify that the child named above was adopted in accordance with M.C.L. 710.24 on _____ (Month, Day, Year)
by the person or married couple listed as the parent(s) for the adoptive birth record, as set forth in the final decree of adoption.

CASE NO. _____

Judge

By _____
Clerk of the Court

SEAL

OFFICE USE ONLY - DO NOT WRITE IN THIS AREA

PENALTIES: Any person who willfully and knowingly makes false application to change a Michigan birth record may be fined not more than \$1,000 and/or imprisoned not more than one (1) year. MCL 333.2894(1)(b) and (c).

PAYMENT - The fee for establishing a new Michigan birth record following an adoption is \$26.00 and includes one copy of the new record. Additional copies of the new record are available for \$4.00 each when ordered at the same time. Payment must be made by check or money order and made payable to the "State of Michigan." The new birth record will not be created until the recording fee has been paid.

Establish New Birth Record Following an Adoption (Non-Refundable) Fee includes one (1) certified copy of the record	\$26.00	\$ 26.00
____ Additional Certified Copies	\$4.00 Each	\$
TOTAL ENCLOSED:		\$

APPLICATION TO
ESTABLISH DELAYED REGISTRATION OF FOREIGN BIRTH

PLEASE READ AND FOLLOW INSTRUCTIONS

For additional information:

Vital Records Changes

(517) 335-8660 Mon-Fri 8:00 am - 5:00 pm ET

MAIL APPLICATION AND PROPER FEE TO:

Vital Records Changes

P.O. Box 30721

Lansing MI 48909

PARENT(S) INFORMATION		PLEASE PRINT CLEARLY AND LEGIBLY									
Parent(s) names and complete mailing address are needed to mail the new record. Please provide a phone number to contact you if there are questions regarding this request.											
Name(s):											
Mailing Address:											
City/State/Zip:											
Daytime phone to contact you:	Area Code & Number					-				-	

INFORMATION REQUIRED TO PREPARE THE ADOPTIVE BIRTH RECORD				
Child's Name	First	Middle	Last	
Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	This Birth - Single, Twin, Triplet, etc. (Specify)	If Not Single - Born 1 st , 2 nd , 3 rd , etc. (Specify)	Date of Birth (Month, Day, Year)	Time of Birth
Country of Birth				
Mother's Name (First, Middle, Last)		Mother's State of Birth (or Country, if not U.S.)	Mother's Date of Birth (Month, Day Year)	
Mother's Surname Before First Married	Mother's Residence	Mother's County of Residence	Mother's State of Residence	
Mother's Social Security Number				
Father's Name (First, Middle, Last)			Father's State of Birth (or Country, if not U.S.)	Father's Date of Birth (Month, Day, Year)
Father's Social Security Number				

SIGNATURE(S)

This form should be signed by the adoptive parents with their current names. The adoptive parents should verify information listed for the adoptive birth record.

Signature of Person Adopting

Signature of Husband or Wife (if married)

COURT CERTIFICATION

The Probate Court of _____ County, Michigan

I hereby certify that this court has acknowledged the birth facts of the foreign born child, and the identified information about the adoptive parents dated

Month Day Year

CASE NO. _____

Judge

By _____

Probate Register

SEAL

OFFICE USE ONLY - DO NOT WRITE IN THIS AREA

PENALTIES: Any person who willfully and knowingly makes false application to change a Michigan birth record may be fined not more than \$1,000 and/or imprisoned not more than one (1) year. MCL 333.2894(1)(b) and (c).

PAYMENT - The fee for establishing a delayed registration of foreign birth is \$13.00 and includes one copy of the new record. Additional copies of the new record are available for \$4.00 each when ordered at the same time. Payment must be made by check or money order and made payable to the "State of Michigan." The new birth record will not be created until the recording fee has been paid.

Establish Delayed Registration of Foreign Birth (Non-Refundable) Fee includes one (1) certified copy of the record	\$13.00	\$ 13.00
____ Additional Certified Copies	\$ 4.00 Each	\$
TOTAL ENCLOSED:		\$

**RECORD OF
DIVORCE OR ANNULMENT**

MICHIGAN DEPARTMENT OF COMMUNITY HEALTH

By authority of MCL 333.2613.

Court Case Number

County Circuit Court

State File Number

1. Husband's Name _____
First, Middle, Last

2. Husband's Birthdate _____
Month, Day, Year

3. Husband's Residence _____
City, Village or Township County State

4. Husband's Birthplace _____
State or Foreign Country

5. Number of this Marriage _____
First, Second, etc. (Specify)

6. Wife's Name _____
First, Middle, Last

7. Wife's Birthdate _____
Month, Day, Year

8. Wife's Last Name Before First Married _____

9. Wife's Residence _____
City, Village or Township County State

10. Wife's Birthplace _____
State or Foreign Country

11. Number of this Marriage _____
First, Second, etc. (Specify)

12. Place of this Marriage _____
City, Village or Township County State or Foreign Country

13. Date of this Marriage _____
Month, Day, Year

14. Date Couple Last Resided
in Same Household

☐
Check If
Not
Separated

Month, Day, Year

15. Number of Minor Children in Household at Separation Date (Filing Date if Not Separated)

☐
Check If
None

Number

16. Plaintiff ☐ Husband ☐ Wife ☐ Other

17. Plaintiff's Attorney _____
Name (Type or Print) Bar Number

18. Attorney's Address _____
Number and Street City State ZIP Code

19. Judgement of _____
Divorce/Annulment (Specify)

20. Number of Minor Children whose

Physical Custody was Awarded to: Husband _____ Wife _____ Joint _____ Other _____
Number Number Number Number

☐ No Children

21. Judgement Recorded on _____
Month, Day, Year

22. I certify that this Divorce was granted on _____
Month, Day, Year

23. Certifying Official _____
Signature Title Date Signed

Failure to provide the required information is a misdemeanor punishable by imprisonment
of not more than 1 year or a fine of not more than \$1,000.00 or both.

1176756

MICHIGAN DEPARTMENT OF PUBLIC HEALTH
OFFICE OF THE STATE REGISTRAR AND DIVISION OF HEALTH STATISTICS
Correction/Adoption Unit
3423 N. Logan St., P.O.Box 30195
Lansing, MI 48909

CERTIFICATE OF ANNULMENT OR AMENDMENT
(USE ADOPTIVE NAMES)

Name of Child _____
Date of Birth _____
Place of Birth _____
Date of Adoption _____
Name of Father _____
Name of Mother _____

Original Name at Birth _____

The adoption of the above named child has been: **Annulled** _____ **Amended** _____ by order of the Probate Court
of _____ County, Michigan, on this _____ day of _____, 19 _____.

Amendments ordered above are as follows: _____

(Signature)
JUDGE OF PROBATE

(Seal)

MICHIGAN DEPARTMENT OF PUBLIC HEALTH
OFFICE OF THE STATE REGISTRAR &
CENTER FOR HEALTH STATISTICS
NOTICE OF ORDER OF FILIATION

State File Number: _____

Local File Number: _____

An order of filiation was issued on _____ by the circuit court of
the county of _____ in the matter of the following child.

Name of Child at Birth (First, Middle, Last)			
Date of Birth (Month, Day, Year)	Place of Birth (City, Village, Township)	(County)	(State)
Name of Mother (First, Middle, Last)		(Name Before 1st Married)	

The court has determined that the father of this child is:

Name of Father (First, Middle, Last)	Social Security Number	Date of Birth	State of Birth
--------------------------------------	------------------------	---------------	----------------

The mother of this child has determined that the child shall be named (Please designate full name of the child):

First Middle Last

Clerk of Court

SEAL

Date

MDPH USE ONLY

New certificate created on _____ Prepared by _____

NOTICE OF ABROGATION

MICHIGAN DEPARTMENT OF PUBLIC HEALTH
OFFICE OF THE STATE REGISTRAR &
CENTER FOR HEALTH STATISTICS

State File No.

I _____, being clerk of the Circuit Court of
_____ County, do hereby certify that the order of
filiation made in this court on _____, 19____, naming
_____ as father of _____
(name of child at birth)
a minor child born at _____,
(Township, Village, City) (County)
_____ on the _____ day of _____, 19____,
(State)
has been abrogated

* By an order of this court made on _____ 19____, OR

* By a judgement of the Supreme Court of Michigan entered on
_____, 19____.

Seal

Clerk of the Court

Date

* Complete the applicable provision

Recorded and filed in Michigan Department of Public Health _____ 19____



Michigan Department of Licensing and Regulation
Bureau of Health Services (517) 373-8068

Route to: Health Services

MEDICAL MALPRACTICE REPORT

WITHIN 10 DAYS OF A MEDICAL MALPRACTICE SETTLEMENT OR COURT VERDICT, PLEASE FORWARD THIS COMPLETED REPORT OR A COPY OF THE COURT ORDER APPROVING SETTLEMENT TO:

DEPT. OF LICENSING AND REGULATION
BUREAU OF HEALTH SERVICES
P.O. BOX 30018
LANSING, MICHIGAN 48909

(OUR MAILING ADDRESS IS PRINTED
ON THE BACK FOR INSERTION INTO
A STANDARD WINDOW ENVELOPE)

PLEASE TYPE OR PRINT. FOR TYPING EASE, USE MARGIN AND TAB SETTINGS ON NEXT LINE.

▼ LEFT MARGIN SET

▼ TAB SET

1. NAMES OF DEFENDANTS (PLEASE ENTER LAST NAME, FIRST NAME, MIDDLE INITIAL)	DEFENDANT'S MEDICAL LICENSE NO. IF KNOWN	DEFENDANT'S PROFESSION
DEFENDANT		<input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> D.D.S. <input type="checkbox"/> Other:
DEFENDANT		<input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> D.D.S. <input type="checkbox"/> Other:
DEFENDANT		<input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> D.D.S. <input type="checkbox"/> Other:
DEFENDANT		<input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> D.D.S. <input type="checkbox"/> Other:

2. AMOUNT OF DAMAGES AWARDED OR AMOUNT OF
APPROVED SETTLEMENT:
\$

3. COURT CASE IDENTIFICATION - PLEASE ENTER YOUR COURT'S
REFERENCE (CASE) NUMBER:

4. THIS CASE WAS FILED IN
THE CITY OF THE COUNTY OF

5. COURT IN WHICH THIS CASE WAS FILED:
COURT NUMBER ☐ DISTRICT
 ☐ CIRCUIT
 ☐ OTHER:

6. DATE OF SETTLEMENT OR JUDGEMENT

NOTE: IF YOU PREFER, YOU MAY RUBBER STAMP COURT INFORMATION IN LIEU
OF 4 AND 5 IN SPACE BELOW:

7. NAME(S) OF PLAINTIFF(S)

8. PLAINTIFF'S ATTORNEY - PLEASE INCLUDE NAME, ADDRESS
AND PHONE NUMBER IF POSSIBLE

9. DEFENDANT'S ATTORNEY - PLEASE INCLUDE NAME, ADDRESS
AND PHONE NUMBER IF POSSIBLE

10. NAME AND TITLE OF PERSON PREPARING THIS REPORT (WE APPRECIATE YOUR ASSISTANCE!)